

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

*Plaintiff,*

Case No. 15-CV-0006S

vs.

**MOTION TO JOIN**

VANTAGE POINT SERVICES, LLC,  
a New York limited liability company;  
PAYMENT MANAGEMENT SOLUTIONS,  
INC., a New York corporation; BONIFIED  
PAYMENT SOLUTIONS, INC.,  
a New York corporation; GREGORY  
MACKINNON individually and as an  
officer of one or more of the Corporate  
Defendants; MEGAN VANDEVIVER,  
individually and as an officer of one or more  
of the Corporate Defendants; ANGELA  
BURDORF, individually and as an officer  
of one or more of the Corporate Defendants;  
JOSEPH CIFFA, individually and as an officer  
of one or more of the Corporate Defendants,,

*Defendants.*

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COMES NOW the movant, HERBERT L. GREENMAN, ESQ., of LIPSITZ GREEN  
SCIME CAMBRIA LLP, on behalf of defendant JOSEPH CIFFA and BONIFIED PAYMENT  
SOLUTIONS, and upon declaration of Herbert L. Greenman, Esq. in support, hereby joins in  
defendant Vantage Point and Payment Management Solutions Memorandum of Law.

DATED: April 1, 2015  
Buffalo, New York

Respectfully submitted

By /s/Herbert L. Greenman  
HERBERT L. GREENMAN, ESQ.  
LIPSITZ GREEN SCIME CAMBRIA, LLP

*Attorneys for Defendant,*  
*Joseph Ciffa*  
*Bonified Payment Solutions, Inc.*  
42 Delaware Avenue, Suite 120  
Buffalo, New York 14202  
(716) 849-1333

TO:

Colin Hector  
Federal Trade Commission  
600 Pennsylvania Ave., N.W.  
Mail Drop CC-10232  
Washington, D.C. 20580  
(202) 326-3376

James M. Morrissey  
Assistant Attorney General  
350 Main Street, Suite 300A  
Buffalo, NY 14202  
(716) 853-8471

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

*Plaintiff,*

Case No. 15-CV-0006S

vs.

**AFFIDAVIT**

VANTAGE POINT SERVICES, LLC,  
a New York limited liability company;  
PAYMENT MANAGEMENT SOLUTIONS,  
INC., a New York corporation; BONIFIED  
PAYMENT SOLUTIONS, INC.,  
a New York corporation; GREGORY  
MACKINNON individually and as an  
officer of one or more of the Corporate  
Defendants; MEGAN VANDEVIVER,  
individually and as an officer of one or more  
of the Corporate Defendants; ANGELA  
BURDORF, individually and as an officer  
of one or more of the Corporate Defendants;  
JOSEPH CIFFA, individually and as an officer  
of one or more of the Corporate Defendants,

*Defendant.*

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**HERBERT L. GREENMAN, ESQ.**, being an attorney admitted to practice in this District, and subject to the penalties for perjury, under the laws of the United States of America do hereby declare the following to be true and correct:

1. I am a senior partner with Lipsitz Green Scime Cambria LLP; and I represent the defendant, Joseph Ciffa and Bonified Payment Solutions, herein. This declaration is respectfully offered in support of defendant Ciffa's Motion to join defendant Vantage Point and Payment Management Solutions Memorandum of Law.

2. Unless otherwise indicated, the assertions herein are made upon information and belief, the basis of which is your declarant's investigation of this matter, including review of our confidential office file and conversations between my office and the defendant.

3. Defendant Joseph Ciffa seeks to join in defendant Vantage Point and Payment Management Solutions Memorandum of Law, filed on April 1, 2015.

4. I have fully read and reviewed the above mentioned Memorandum of Law.

5. The Defendant hereby states that he joins and incorporates by reference the above mentioned Memorandum of Law.

6. Permitting the Defendant to join in this pretrial memorandum filed on behalf of his co-defendant will not prejudice the government, will result in judicial economy, and will ensure that the Sixth Amendment right to effective representation as well as his Fifth Amendment right to a fair trial will be fully protected.

Wherefore, the Defendant respectfully requests that this Honorable Court enter an Order permitting him to join in the Memorandum of Law filed on behalf of the co-defendants, Vantage Point and Payment Management Solutions.

Respectfully submitted,

*/s/ Herbert L. Greenman*

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HERBERT L. GREENMAN, ESQ.  
LIPSITZ GREEN SCIME CAMBRIA LLP  
*Attorneys for Defendant*  
*Joseph Ciffa*  
*Bonified Payment Solutions*  
42 Delaware Avenue, Suite 120  
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Phone: (716) 849-1333  
Fax: (716) 855-1580

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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FEDERAL TRADE COMMISSION,

Plaintiffs,

Case No.: 15-CV-0006S

vs.

VANTAGE POINT SERVICES, LLC et al,

Defendants.

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***CERTIFICATE OF SERVICE***

I hereby certify that on 4/1/2015 I electronically filed the Motion to Join with the Clerk of the District Court using the CM/ECF system.

I hereby certify that on 4/1/2015 a copy of the foregoing was also delivered to the following using the CM/ECF System.

TO: James Morrissey, Esq., Assistant Attorney General  
Eric M. Schneiderman  
Attorney General for the  
State of New York  
350 Main Street, Suite 300A  
Buffalo, New York 14202

Colin Hector  
Federal Trade Commission  
600 Pennsylvania Ave., N.W.  
Mail Drop CC-10232  
Washington, D.C. 20580  
(202) 326-3376

DATED: Buffalo, New York  
April 1, 2015

/s/Amanda E. Workman

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Amanda E. Workman